

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**Varsity Brands, Inc., Varsity
Spirit Corporation, and Varsity
Spirit Fashions & Supplies, Inc.,**

Plaintiffs,

v.

No.: 2:10-cv-02508-RHC-cgc

Star Athletica, LLC

Defendant.

ORDER DENYING DEFENDANT’S FIRST MOTION TO COMPEL

The Court, having considered Defendant’s First Motion to Compel (D.E.#110 and 114), finds that the Motion should be granted in part and denied in part.

Pursuant to the parties’ agreement before this Court to resolve the issues raised in the instant Motion, the Court ORDERS Plaintiffs to immediately produce documents and things in complete form for the following category of documents: (1) the requested training, construction and quality assurance manuals, (2) all of the Copyright Office correspondence for all of Plaintiffs’ designs where there was an initial rejection and a request for reconsideration and all decisions, and (3) all documents, emails, memos and other correspondence which are reasonably accessible under Rule 26(b)(2)(B) and (C) within or between Plaintiffs’ departments or with Plaintiffs’ and its contract

manufacturers regarding the creation of the five designs at issue, any patterns and creation of the same relating to the five designs at issue, and any manufacturing specifications relating to the five designs at issue. Only category 3 is limited to the five designs at issue. This Order is further limited in time to documents and things from one year prior to the earliest year of creation for the five designs at issue (1997) through the present.

The remainder of Defendant's Motion to Compel is denied as moot.

IT IS SO ORDERED this 24th day of April, 2012.

s/ Charmiane G. Claxton
CHARMIANE G. CLAXTON
UNITED STATES MAGISTRATE JUDGE